

Message Text

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PAGE 01 CANBER 00774 082123Z

16

ACTION L-03

INFO OCT-01 EA-11 ISO-00 PM-07 DODE-00 SS-20 CIAE-00

INR-10 NSAE-00 RSC-01 DRC-01 /054 W

----- 107834

R 080820Z FEB 74

FM AMEMBASSY CANBERRA

TO SECSTATE WASHDC 2501

C O N F I D E N T I A L CANBERRA 774

E.O. 11652: GDS

TAGS: PFOR, MARR, AS, US

SUBJ: EXCHANGE OF NOTES - NORTHWEST CAPE AGREEMENT

REF: STATE 015704

1. PRITCHETT HAS BEEN ILL BUT CONFIRMS HIS AGREEMENT TO LANGUAGE AND PREFERS EMBASSY WORK THROUGH DFA. EMBOFF CALLED TO DEPARTMENT OF FOREIGN AFFAIRS FEB 8 TO RECEIVE DRAFT TEXT OF AUSTRALIAN NOTE. AUSTRALIAN NOTE CONFORMS TO DRAFT TEXT PROVIDED IN REFTEL WITH FOLLOWING PROCEDURAL CHANGES:

A. NOTE WOULD BE SENT BY AUSTRALIAN FOREIGN MINISTER WILLESEE TO AMBASSADOR GREEN INSTEAD OF OTHER WAY AROUND.

B. PENULTIMATE PARAGRAPH OF DRAFT NOTE MIGHT REPEAT MIGHT BE AMENDED AS FOLLOWS: FINAL PHRASE "EFFECTIVE FROM THE DATE OF YOUR EXCELLENCY'S REPLY" WOULD BE DELETED. SENTENCE FROM WHICH THIS DELETION MADE WOULD END AFTER THE WORD "GOVERNMENTS." FINAL SENTENCE OF PENULTIMATE PARAGRAPH WOULD REPEAT SAME TEXT AS ARTICLE 16, PARAGRAPH 1 OF 1963 AGREEMENT, I.E., "THIS AGREEMENT SHALL BE SUBJECT TO APPROVAL BY THE TWO GOVERNMENTS AND SHALL ENTER INTO FORCE ON THE DATE ON WHICH THEY EXCHANGE INSTRUMENTS NOTIFYING SUCH APPROVAL."

RATIONALE: IT IS EXPECTED THAT GOA WILL MAKE DECISION AS TO WHICH FORM WILL BE USED IN NEAR FUTURE I.E., NOTE AS PRESENTLY WRITTEN OR USING FORM IN (B) ABOVE. IF THEY ADOPT FORM GIVEN
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(B) ABOVE, IT WILL BE BECAUSE POLITICAL

LEADERSHIP BELIEVES AGREEMENT HAS TO BE TABLED IN PARLIAMENT AND RECEIVE FORMAL APPROVAL, A PROCESS WHICH COULD TAKE SEVERAL WEEKS TO ACCOMPLISH. AT ANY RATE, SUGGESTED CHANGE APPEARS TO BE MATTER OF INTERNAL AUSTRALIAN DECISION AND IS NOT SUBSTANTIVE MATTER IN TERMS OF AGREEMENT'S TEXT.

2. EMBASSY WOULD APPRECIATE DEPARTMENT'S CONFIRMATION THAT PROCEDURAL CHANGES MENTIONED ABOVE ARE ACCEPTABLE TO USG. IT IS ANTICIPATED THAT EXCHANGE OF NOTES WILL NOT BE EFFECTED UNTIL AFTER AMBASSADOR GREEN'S RETURN TO CANBERRA ABOUT FEBRUARY 15. PARLIAMENTARY APPROVAL COULD NOT BE EXPECTED UNTIL AFTER FEBRUARY 28 WHEN PARLIAMENT SCHEDULED TO RECONVENE AFTER SUMMER HOLIDAY.
HARROP

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Message Attributes

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Disposition Case Number: n/a
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